

1 BRIAN J. STRETCH (CABN 163973)
United States Attorney

2 BARBARA J. VALLIERE (DCBN 439353)
3 Chief, Criminal Division

4 JEFFREY SHIH (CABN 296945)
Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102-3495
jeffrey.shih@usdoj.gov; 415-436-7168

7 Attorneys for the United States of America

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 UNITED STATES OF AMERICA,)	CASE NO. 3:17-CR-180 RS
)	
13 Plaintiff,)	STIPULATION AND
)	PROPOSED ORDER EXCLUDING TIME
14 v.)	UNDER THE SPEEDY TRIAL ACT
)	
15 APRIL MYRES, and)	
16 ANTOINE FOWLER,)	
)	
17 Defendants.)	

18 The parties, with the consent of the defendants, hereby stipulate as follows:

- 19 1. On July 18, 2017, the parties appeared before the Court for a status conference and
20 stipulated to exclude time under the Speedy Trial Act through the next status conference
21 scheduled for September 5, 2017.
- 22 2. On July 25, 2017, the Court continued the status hearing to September 19, 2017, and
23 informed the parties through a Clerk's notice on the CM/ECF docket.
- 24 3. The defendants are currently out of custody.
- 25 4. The United States has provided and continues to provide the defendants with discovery
26 materials, and the defendants require additional time to review the discovery, to confer,
27 and to prepare effectively.
28

- 1 5. There is good cause to exclude time under the Speedy Trial Act as the ends of justice
2 from such an exclusion outweigh the best interest of the public and the defendants in a
3 speedy trial. Specifically, such an exclusion provides the respective defense counsel
4 reasonable time for effective preparation, taking into account due diligence. 18 U.S.C.
5 § 3161(h)(7)(A) and (h)(7)(B)(iv).
- 6 6. Based on the foregoing, the parties jointly and respectfully request that the Court issue
7 the proposed order excluding time under the Speedy Trial Act.

8
9 IT IS SO STIPULATED.

10 DATED: August 31, 2017

/s/ with permission
TONY TAMBURELLO
Counsel for Defendant Myres

12 DATED: August 31, 2017

/s/ with permission
KENNETH HOWARD WINE
Counsel for Defendant Fowler

15 BRIAN J. STRETCH
16 United States Attorney

17 DATED: August 31, 2017


/s/ Jeffrey Shih
JEFFREY SHIH
Assistant United States Attorney

19
20 **~~PROPOSED~~ ORDER TO EXCLUDE TIME**

21 Based on the stipulation of the parties, the consent of the defendants, and on good cause shown,
22 the Court orders that the time period from the date of this Order, through and including the date set for
23 the status conference before the District Court on September 19, 2017, is excluded under the Speedy
24 Trial Act. The Court bases this exclusion of time and makes the findings as stipulated by the parties
25 above.

26 IT IS SO ORDERED.

27 Dated: 9/1, 2017


HON. RICHARD SEEBORG
United States District Judge